

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

STEPHEN FENERJIAN, et al.,  
Plaintiffs,

v.

NONG SHIM COMPANY, LTD, et al.,  
Defendants.

Case No. 13-cv-04115-WHO (DMR)

**ORDER RE MOTION FOR ISSUANCE  
OF LETTER ROGATORY**

Re: Dkt. Nos. 241, 239

On January 14, 2016, the court held a hearing on Plaintiffs' Motion for Issuance of Letter Rogatory. Docket No. 241. Plaintiffs seek to obtain deposition testimony and production of documents from six former Samyang Foods Co., Ltd. employees by way of letter rogatory issued from this court and transmitted to the appropriate authority in Korea. Settling Defendant Samyang Foods Co., Ltd. did not oppose Plaintiffs' motion. Defendants Nongshim Co. Ltd., Nongshim America, Inc., Ottogi Company Ltd., and Ottogi America Inc. ("Defendants") opposed issuance of the letter rogatory, and alternatively requested that a description of Defendants' positions be added to the letter, as well as additional questions to be asked of the foreign deponents. Docket No. 244.

At the conclusion of the hearing the court ordered the parties to meet and confer and jointly submit a proposed letter rogatory consistent with the court's instructions by January 15, 2016. Docket Nos. 282, 281. The court reviewed the parties' joint submission and made three minor revisions to address typographical errors.<sup>1</sup> The court now orders the issuance of the attached letter rogatory. It is the parties' responsibility to comply with all procedural requirements of the Korean authorities.

<sup>1</sup> The court changed the names of indirect purchaser class Plaintiffs from "Stephen Feneijian" to "Stephen Fenerjian" and "Nicholas Halhran" to "Nicholas Halloran" on page three in conformance with the court's records. The court also changed the word "extent" to "extend" on page thirteen.

1 In conjunction with their motion, Plaintiffs moved to seal the names and related  
2 information regarding the six deponents, all of whom provided statements to the Korea Fair Trade  
3 Commission (“KFTC”) in conjunction with the KFTC’s investigation of alleged price-fixing of  
4 Korean ramen noodles. Docket No. 239. Plaintiffs’ and Samyang’s supporting declarations  
5 establish good cause. Therefore, Plaintiffs’ motion to seal is **granted**. Plaintiffs may redact the  
6 names of the witnesses, the summaries of their statements, and Plaintiffs’ counsel’s summary of  
7 the substantive contents of their statements. The court has accordingly redacted the names of the  
8 six deponents in the public version of the attached letter rogatory.

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10 **IT IS SO ORDERED.**

11 Dated: January 21, 2016



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Donna M. Ryu  
United States Magistrate Judge